

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK

Case number *(if known)*Chapter **11**☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **NORTH ENERGY POWER LLC**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **45-1058767**

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

1425 37th Street
Suite 612
Brooklyn, NY 11218

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Kings

County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify:

Debtor **NORTH ENERGY POWER LLC**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

2211**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No.☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☒ No☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **NORTH ENERGY POWER LLC**
Name

Case number (if known)

11. Why is the case filed in this district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?** _____

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☐ 1-49☒ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **NORTH ENERGY POWER LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **September 17, 2018**
MM / DD / YYYY**X /s/ Robert Rimberg**

Signature of authorized representative of debtor

Robert Rimberg

Printed name

Title **Manager****18. Signature of attorney****X /s/ A. MITCHELL GREENE**

Signature of attorney for debtor

Date **September 17, 2018**

MM / DD / YYYY

A. MITCHELL GREENE

Printed name

ROBINSON BROG LEINWAND GREENE GENOVESE & GLUCK P.C.

Firm name

875 THIRD AVENUE**New York, NY 10022**

Number, Street, City, State & ZIP Code

Contact phone **(212) 603-6300**

Email address

NY

Bar number and State

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

NORTH ENERGY POWER LLC,

Case No.:

Debtor.

-----X

CERTIFICATE OF RESOLUTION

I, the undersigned, **Robert Rimberg**, the Manager of **North Energy Power LLC** (the “Company”), do hereby certify that at a meeting of the Company duly called and held, the following resolutions were adopted and recorded in the Minute Book of the Company, and they have not been modified or rescinded, and are still in full force and effect:

RESOLVED, that in the judgment of the Company it is desirable and in the best interest of the Company, its creditors, members and other interested parties, that a petition be filed by the Company for relief under Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”); and it is further

RESOLVED, that the form of petition under Chapter 11 presented to this meeting is approved and adopted in all respects, and that Robert Rimberg, the Manager of the Company, is authorized to execute and verify a petition substantially in such form and to cause the same to be filed with the United States Bankruptcy Court for the Southern District of New York at such time as he shall determine; and it is further

RESOLVED, that Robert Rimberg, the Manager of the Company, is authorized to execute and file all petitions, reorganization schedules, lists and other papers and to effectuate the filing of the Chapter 11 case, and, in that connection, that the firm of Robinson Brog Leinwand Greene Genovese & Gluck P.C. be retained and employed as legal counsel for the Company under a general retainer, in addition to such special counsel as may hereafter become necessary or proper with a view to the successful conclusion of such Chapter 11 case.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the
Company this **11** day of September, 2018.

NORTH ENERGY POWER LLC

By: /



ROBERT RIMBERG
MANAGER

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

NORTH ENERGY POWER LLC,

Case Nos. 18-

Debtor.

-----X

DECLARATION PURSUANT TO LOCAL RULE 1007

Robert Rimberg, hereby declares under penalty of perjury that the following statements are true and correct:

1. I am the manager of North Energy Power LLC (the “Debtor”), and am fully familiar with the facts set forth herein.

2. I submit this declaration in accordance with Local Bankruptcy Rule 1007 in support of the Debtor’s filing of a voluntary petition under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”).

3. The Debtor is a gas supplier who provide electric and gas service to commercial and residential customers.

4. The Debtor’s case is being commenced because its primary provider of gas and electric services as well as its primary lender filed its own chapter 11 case in the Eastern District of New York captioned *Big Apple Energy, LLC* (“Big Apple”), Case No. 18-75807-ast. Prior to Big Apple’s filing, Big Apple stopped providing electric services to the Debtor and cut off access to credit that provided the Debtor with the necessary financing to fund the Debtor’s operations

5. No pre-petition committee was organized prior to the Order for relief.

6. No property of the Debtor is in the possession and control of a receiver.

7. The purpose of filing this petition is to resolve its issues with Big Apple as well as obtain debtor-in-possession financing so that the Debtors can continue to provide services to its customers.

8. The estimated operating expenses of the Debtor for the next **thirty days** is attached to this declaration:

I declare under penalty of perjury under the laws of the United States, pursuant to 28 U.S.C. §1746, that the foregoing is true and correct.

NORTH ENERGY POWER LLC

By: / 
ROBERT RIMBERG
MANAGER

**United States Bankruptcy Court
Eastern District of New York**

In re **NORTH ENERGY POWER LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: **September 17, 2018****/s/ Robert Rimberg****Robert Rimberg/Manager**

Signer/Title

Date: **September 17, 2018****/s/ A. MITCHELL GREENE**

Signature of Attorney

A. MITCHELL GREENE**ROBINSON BROG LEINWAND GREENE GENOVESE & GLUCK
P.C.****875 THIRD AVENUE****New York, NY 10022****(212) 603-6300**

Abe Leser
1481 47th Street
Brooklyn, NY 11219

Advanced Energy
1316 65th Street
Brooklyn, NY 11219

AG Gas & Power
33 Satmar Drive #202
Monroe, NY 10950

All Care Energy
21 Robert Pitt Drive
Apt. 308
Monsey, NY 10952

Binyan Specialists Inc.
199 Lee Ave. Suite 232
Brooklyn, NY 11211

Brite Star Energy
143 Brick Church Road
Spring Valley, NY 10977

Chaya Dembitzer
1749 45th Street
Brooklyn, NY 11204

Choice Energy Services
5151 Sam Felipe
Suite 2200
Houston, TX 77056

Clear Choice Energy LLC
100 Crossways Park Dr W
Suite 405
Woodbury, NY 11797

CORP. COUNSEL FOR NYC
100 CHURCH STREET
New York, NY 10007

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East Setauket, NY 11733

Energy 942
942 East 5th Street
Brooklyn, NY 11230

Energy Best Deals Inc.
282 Skillman Street #4
Brooklyn, NY 11205

Energy For Less Inc.
142 Park Lane
Monsey, NY 10952

Energy Office Inc.
10 Lemberg Court #202
Monroe, NY 10950

Energy Portfolio Associat
417 Center Avenue
Mamaroneck, NY 10543

ESCO NY LLC
199 Lee Ave. Suite 804
Brooklyn, NY 11211

Feller Law Group, PLLC
159 20th Street, Suite 1B
Brooklyn, NY 11232

Herschel Friedman CPA
5421 New Utrecht Ave.
Brooklyn, NY 11219

Hindy Gruber
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Brooklyn, NY 11219

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605 Third Ave. Suite 2300
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PO BOX 7346
Philadelphia, PA 19101-7346

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219 Havemeyer Street
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66 Herrick Avenue
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Jacob Gratt
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Joseph Flohr
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Joseph Rosenberg
1269 42nd Street
Brooklyn, NY 11219

Keren Teferes Yeshiya
1164 46th Street
Brooklyn, NY 11219

Lish Realty
5103 20th Avenue
Brooklyn, NY 11204

M&G Housing
26 Rutledge Street
Brooklyn, NY 11249

Management Service
Partners LLC
11 Kings Place, Apt 4E
Brooklyn, NY 11223

Mandelbaum Salsburg
3 Becker Farm Road
Roseland, NJ 07068

Max Energy Group Inc.
Mr. Martin Gruber
58 Nicole Avenue
Spring Valley, NY 10977

Metro Refunds
505 Chestnut Street
Cedarhurst, NY 11516

Mr. Framawitz
1727 57th Street
Brooklyn, NY 11204

Mr. Moses Neiman
152 Hewes Street
Brooklyn, NY 11211

Mr. Shmiel Weiss
16 Butterman Place #103
Monsey, NY 10952

National Refunds
300 Merrick Road
Suite 208
Lynbrook, NY 11563

NECS
1274 49th Street
Suite 194
Brooklyn, NY 11219

NY STATE DEPT. OF FINANCE
ATTN: BANKRUPTCY SPECIAL
PO BOX 5300
Albany, NY 12205

NYC DEPT. OF FINANCE
345 ADAMS STREET, 3RD FL.
ATTN: LEGAL AFFAIRS
Brooklyn, NY 11201

NYS Dept Taxation and
Finance
Building 9
W.A. Harriman Campus
Albany, NY 12227

NYSERDA
17 Columbia Circle
Albany, NY 12203

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Paul Block
DBA/ Block Energy
174 Big Island Road
Warwick, NY 10990

Phillips Lytle LLP
1400 First Federal Plaza
Rochester, NY 14614

Phoenix Energy Solutions
24 Sound View Drive
Greenwich, CT 06830

Pinchas Rubinfeld
4504 17th Avenue
Brooklyn, NY 11204

Sam Bodenheim
121 Bennet Avenue
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Save Smart Energy Inc.
17 Main Street
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Monsey, NY 10952

Superlink Energy
Resources Inc.
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T.R. Group
199 Lee Avenue
Suite 317
Brooklyn, NY 11211

The OE Group
5314 16th Avenue
Suite 187
Brooklyn, NY 11204

US ATTY OFFICE - EDNY
BANKRUPTCY PROCESSING
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ATTN: ARTEMIS LEKAKIS
Brooklyn, NY 11201

Utility Management
Consultants Inc.
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Brooklyn, NY 11204

We Cann
P.O. Box 85
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Yechiel Pollack
153 Lee Avenue
Brooklyn, NY 11211

Yisroel Neustein
33 Throop Avenue
Apt. 4L
Brooklyn, NY 11206

Zip Talk Inc.
141 Penn Street
Brooklyn, NY 11211